

Appl. No. : 09/652,730
Filed : August 31, 2000

REMARKS

The foregoing amendments and the following remarks are responsive to the February 17, 2004 Office Action. Claims 1-19 and 21-30 are presented for further consideration. Please reconsider the claims in view of the following remarks.

Comments on Personal Interview of May 11, 2004

Applicants thank the Examiner Onuaku for extending the courtesy of scheduling a personal interview with Applicants' representatives, Bruce S. Itchkawitz and Jerry T. Sewell, for May 11, 2004. Applicants also thank Examiners Andrew Christensen and Vincent Boccio for allowing Mr. Itchkawitz and Mr. Sewell to meet with Examiner Boccio to discuss the present application when Examiner Onuaku was unable to attend. The remarks herein are in accordance with that discussion.

Response to Rejection of Claims 1-12, 19, and 22-30 Under 35 U.S.C. § 103(a)

In the February 17, 2004 Office Action, the Examiner rejects Claims 1-12, 19, and 22-30 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,002,394 issued to Schein et al. ("Schein") in view of U.S. Patent No. 6,430,459 issued to Yuen et al. ("Yuen").

Applicants submit that Claim 1 includes limitations not taught or suggested by either Schein or Yuen. The Interview Summary prepared during the personal interview on May 11, 2004 indicates that Examiner Boccio agreed that the rejection applied to Claim 1 seems deficient, since "the combination applied fails to show or suggest control from the recorder controlling the set-top box and ... fails to disclose the EPG in the recorder." Applicants submit that Claim 1 is patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejection of Claim 1 and pass Claim 1 to allowance.

Claims 2, 4-6, and 10-11 each depend from Claim 1, Claim 3 depends from Claim 2, Claims 7-9 each depend from Claim 6, and Claim 12 depends from Claim 11. Each of Claims 2-12 includes all the limitations of Claim 1, as well as other limitations of particular utility. Therefore, Claims 2-12 are each patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejections of Claims 2-12 and pass these claims to allowance.

As described above with respect to Claim 1, Applicants submit that Claim 19 includes limitations not taught or suggested by either Schein or Yuen. Applicants therefore submit that

Appl. No. : **09/652,730**
Filed : **August 31, 2000**

Claim 19 is patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejection of Claim 19 and pass Claim 19 to allowance.

As described above with respect to Claim 1, Applicants submit that Claim 22 includes limitations not taught or suggested by either Schein or Yuen. Applicants therefore submit that Claim 22 is patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejection of Claim 22 and pass Claim 22 to allowance.

Each of Claims 23, 26, 27, and 30 depends from Claim 22, each of Claims 24 and 25 depends from Claim 23, and each of Claims 28 and 29 depends from Claim 27. Each of Claims 23-30 includes all the limitations of Claim 22, as well as other limitations of particular utility. Therefore, Claims 22-30 are each patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejections of Claims 22-30 and pass these claims to allowance.

Response to Rejection of Claims 13, 14, 16, and 17 Under 35 U.S.C. § 103(a)

In the February 17, 2004 Office Action, the Examiner rejects Claims 13, 14, 16, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Yuen and further in view of U.S. Patent No. 6,003,041 issued to Wugofski (“Wugofski”).

As discussed above, Schein in view of Yuen does not disclose or suggest all the limitations of Claim 1. Applicants submit that Wugofski does not disclose or suggest the missing limitations. Therefore, Applicants submit that Claim 1 is patentably distinguished over Schein in view of Yuen and further in view of Wugofski.

Each of Claims 13, 14, 16, and 17 depends from Claim 1, so each discloses all the limitations of Claim 1 as well as other limitations of particular utility. Therefore, Claims 13, 14, 16, and 17 are each patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejections of Claims 13, 14, 16, and 17 and pass these claims to allowance.

Response to Rejection of Claims 15 and 18 Under 35 U.S.C. § 103(a)

In the February 17, 2004 Office Action, the Examiner rejects Claims 15 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Yuen and further in view of U.S. Patent No. 5,963,264 issued to Jackson (“Jackson”).

As discussed above, Schein in view of Yuen does not disclose or suggest all the limitations of Claim 1. Applicants submit that Jackson does not disclose or suggest the missing

Appl. No. : 09/652,730
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limitations. Therefore, Applicants submit that Claim 1 is patentably distinguished over Schein in view of Yuen and further in view of Jackson.

Each of Claims 15 and 18 depends from Claim 1, so each discloses all the limitations of Claim 1 as well as other limitations of particular utility. Therefore, Claims 15 and 18 are each patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejections of Claims 15 and 18 and pass these claims to allowance.

Response to Rejection of Claim 21 Under 35 U.S.C. § 103(a)

In the February 17, 2004 Office Action, the Examiner rejects Claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Yuen and further in view of U.S. Patent No. 5,699,107 issued to Lawler et al. ("Lawler").

As discussed above, Schein in view of Yuen does not disclose or suggest all the limitations of Claim 19. Applicants submit that Lawler does not disclose or suggest the missing limitations. Therefore, Applicants submit that Claim 19 is patentably distinguished over Schein in view of Yuen and further in view of Lawler.

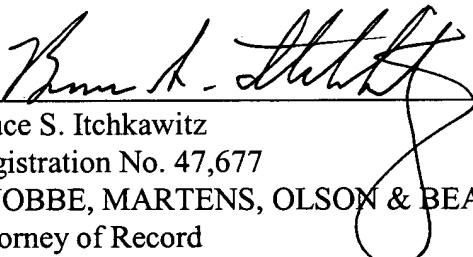
Claim 21 depends from Claim 19, so Claim 21 discloses all the limitations of Claim 19 as well as other limitations of particular utility. Therefore, Claim 21 is patentably distinguished over the cited prior art. Applicants respectfully request that the Examiner withdraw the rejections of Claim 21 and pass Claim 21 to allowance.

Summary

In view of the foregoing remarks, Applicants submit that Claims 1-19 and 21-30 are in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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